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Subject: RE: Section 6049

As we discussed this morning, I ran the issue past another attorney in the branch who is considerably more knowledgeable about information returns and reporting requirements than I am. Essentially, the state office should report (assuming it has a reporting obligation under section 6049) the interest paid on the unclaimed funds using the name and TIN of the decedent or the decedent's estate, as appropriate. Without regard to payment on a claim by a nursing home or funeral home for services rendered, if the interest being reported is or would be includible on the decedent's final income tax return, then presumably the Form 1099-INT should report the decedent's name and SSN, whereas the estate's number (if there is one) should be used if the interest is income to the estate. In other words, the reporting, in terms of payee name and TIN, seemingly should operate the same as if the funds were held in a bank account. Let me know if you want to discuss or have questions. Thanks.